

**IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF TEXAS
AUSTIN DIVISION**

UNITED STATES OF AMERICA <i>Plaintiff</i>	§ § § § § § §	 1:20-mj-00795-SH-1
v. (1) ADRIANA GARCIA <i>Defendant</i>		

Order On Petition for Action on Conditions of Pretrial Release

This matter came before the Court on September 22, 2020, for a hearing on the Pretrial Services Office’s Petition for Action on Conditions of Release, dated September 8, 2020 (“Petition”). The revocation proceeding was held in accordance with the Federal Rules of Criminal Procedure and 18 U.S.C. § 3148. In the interests of justice, the hearing was conducted by video teleconference due to the exigent circumstances created by the COVID-19 pandemic. Both parties consented to proceed by video teleconference, and the defendant, her attorney, and the attorney for the Government were present throughout the hearing.

Defendant Adriana Garcia was ordered released on conditions on July 28, 2020. The petition alleges that Ms. Garcia failed to report to Pretrial Services as directed on August 26, 2020, and Pretrial Services was unsuccessful in communicating with her via phone. Also, Ms. Garcia’s grandmother and third-party custodian advised that Ms. Garcia did not reside with her as ordered in Austin, Texas, where she was being supervised. The United States District Court for the Western District of Texas, Del Rio Division, issued a warrant for Ms. Garcia’s arrest on September 8, 2020, and she was arrested on September 15, 2020, in Kyle, Hays County, Texas.

The Court has considered the original Pretrial Services Report, the Petition, and the proffer and arguments of counsel for Ms. Garcia and for the government at the revocation hearing.

Pursuant to 18 U.S.C. § 3148(b)(1)(B), the Court finds that there is clear and convincing evidence that Ms. Garcia violated at least the following Conditions of Release, requiring her to:

- 7(c) Reside at 12114 Brookwood Ave., Austin, Texas 78721; and
- 7(e) Report to U.S. Pretrial Services as directed.

The Court further finds, pursuant to 18 U.S.C. § 3148(b)(2)(B), that, based on her failure to abide by these crucial conditions of her release for a period of weeks, Ms. Garcia is unlikely to abide by any condition or combination of conditions of release.

It is therefore **ORDERED** that Ms. Garcia's previous release on conditions is **REVOKED** and she is **HEREBY DETAINED** pending further proceedings in this case.

Directions Regarding Detention

Ms. Garcia is remanded to the custody of the Attorney General or his designated representative **for transport to the Del Rio Division for further proceedings in Case No. 2:20-cr-1340-AM-2** and confinement in a corrections facility separate, to the extent practicable, from persons awaiting or serving sentences or being held in custody pending appeal. The defendant must be afforded a reasonable opportunity for private consultation with defense counsel. On order of a court of the United States or on request of an attorney for the Government, the person in charge of the corrections facility shall deliver Ms. Garcia to the United States Marshal for the purpose of an appearance in connection with a court proceeding.

SIGNED September 22, 2020.



SUSAN HIGHTOWER
UNITED STATES MAGISTRATE JUDGE